

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

TIMOTHY DEFOGGI,

Defendant.

Case No. 8:13CR105

**MOTION TO SUPPRESS EVIDENCE
OBTAINED THROUGH SEARCH OF
DEFENDANT'S HOUSE**

COMES NOW, the Defendant, through counsel, and hereby moves this Court to suppress any and all evidence derived from the search of the Defendant's house because the search was not supported by probable cause and therefore violated Defendant's right to remain free from unreasonable searches and seizures as guaranteed under the Fourth and Fourteenth Amendments to the Constitution of the United States.

Respectfully submitted,
Timothy Defoggi, Defendant

/s/ John S. Berry

John S. Berry, #22627

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon Michael Norris, Assistant U.S. Attorney and Keith A. Becker, U.S. Department of Justice, by electronically serving a copy of the same to both via CM/ECF, on this the 6th day of March, 2014.

/s/ John S. Berry

John S. Berry, #22627